

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOY MACCHARULO & DOLORES :  
KUCHARCZYK, Co-Administratrix of the :  
Estate of FRANK KUCHARCZYK, deceased : 08 Civ 301 (LTS)(THK)

**NOTICE OF MOTION**

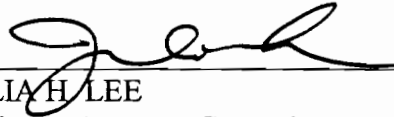
Plaintiffs, :  
  
v. :  
  
GLENN GOULD, et al. :  
-----X

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and upon all pleadings and proceedings heretofore had herein, the undersigned, Defendants will move this Court before the Honorable Laura T. Swain, United States District Judge at the United States Courthouse, located at 500 Pearl Street, New York, New York, 10007, on a date to be set by the court, or as soon thereafter as counsel may be heard, for an order pursuant to Fed. R. Civ. P. 12(b)(1) and (6) dismissing the complaint in its entirety, and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York  
June 16, 2008

Respectfully submitted,  
ANDREW M. CUOMO  
Attorney General of the State of New York  
Attorney for Defendant

By:

A handwritten signature in black ink, appearing to read 'Julia H. Lee', is written over a horizontal line.

JULIA H. LEE  
Assistant Attorney General  
120 Broadway  
New York, New York 10271  
(212) 416-6234

TO: Courtney Black, Esq.  
Counsel for Plaintiffs  
Bonjean Law Group, PLLC  
11 Broadway, Ste. 600  
New York, NY 10004

STATE OF NEW YORK     )  
                                      : SS.:  
COUNTY OF NEW YORK )

JULIA LEE being duly sworn, deposes and says:

That she is an Assistant Attorney General in the office of ANDREW CUOMO,  
the Attorney General of the State of New York, Attorney for defendants herein. On the 16th of  
June, 2008 she served the annexed Notice of Motion by first class mail upon the following  
named person:

Courtney Black, Esq.  
Counsel for Plaintiffs  
Bonjean Law Group, PLLC  
11 Broadway, Ste. 600  
New York, NY 10004

PRO SE in the within entitled proceeding by depositing a true and correct copy thereof, properly  
enclosed in a post-paid wrapper, at a mailbox regularly maintained by the Government of the  
United States located at 120 Broadway, New York, New York 10271, directed to said counsel for  
plaintiff at the address within the State designated by her for that purpose.

  
\_\_\_\_\_  
JULIA LEE